



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2307419
Applicant Name : Bill Franklin, Miller Hull Architects for Vulcan, Inc.
Address of Proposal: 100 9th Ave N

SUMMARY OF PROPOSED ACTIONS

Master Use Permit to establish use for a 40,000 sq.ft. private park (existing). Project includes 1,100 cubic yards of grading to level playfields. See related project # [2307421](#).

The following approval is required:

SEPA – Environmental Determination – SMC Chapter [25.05](#)

SEPA DETERMINATIONS: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS

 ☐ DNS with conditions ¹

 ☐ DNS involving non-exempt grading, or demolition, or
 involving another agency with jurisdiction.

¹ Early DNS published March 4, 2004.

BACKGROUND DATA

Project Description

The proposed development involves grading of an existing private park, to facilitate soccer field improvements. No structures are contemplated in this review. However, related project #[2307421](#) establishes a one-story, 12,000 square foot structure for use as an administrative office and showroom.

Site and Vicinity

The overall project involves two properties located in the South Lake Union neighborhood. The two sites occupy the full block between Westlake Ave N to the east, 9th Ave. N to the West, John St. to the north, and Denny Way to the south, divided by an unimproved alley running north-south. Westlake, 9th and Denny are all principal arterials. John Street is a nonarterial. The site is at the bottom of a basin – topography in the vicinity rises to the east and west, and it slopes gradually to the north. The property is located in the South Lake Union Hub Urban Village.

The site is zoned Neighborhood Commercial 3 with a 125-foot base height limit (NC3-125, see Figure 2). Properties to the east across Westlake Ave N are also zoned NC3-125. To the north and east the height limit drops to 85 feet (NC3-85). Zoning in the immediate vicinity to the north ranges from Industrial Commercial (IC), NC3 and Commercial 1 (C1). Denny Park is to the west across 9th Ave N, also zoned NC3-85. Land to the south across Denny Wy is zoned Downtown Mixed Commercial (DMC), with heights ranging from 125 feet to 160, to 240 feet.

Development in the immediate vicinity reflects its zoning, though none approaches its full zoning potential, suggesting that the area could experience substantial future redevelopment. Surrounding uses are primarily nonresidential, including Morningside Academy to the north, Denny Park to the west, a motel, a restaurant, office buildings, a church, retail stores, warehouses, auto lots and surface parking lots, and Cornish College to the southeast.

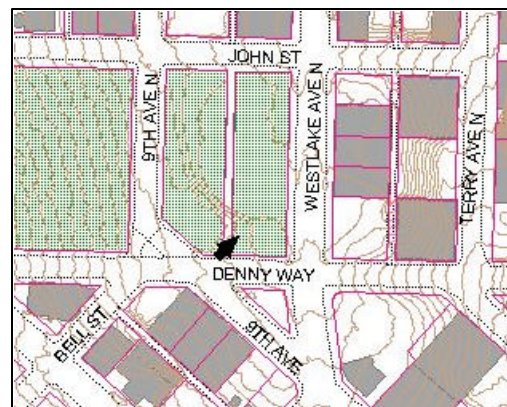


Figure 1. Local topography

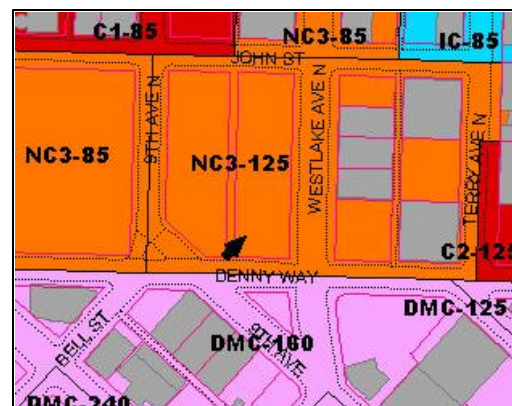


Figure 2. Vicinity Zoning



Figure 3. Aerial View

The overall development consists of two properties, both 360' long by 120' wide, separated by an undeveloped 16'-wide alley. The western property is chamfered at the southwest to accommodate the transition from 9th Ave N to 9th Ave. The site slopes gradually down to the northeast, approximately 10' in all. The site is currently occupied by a grassy field and a paved basketball court. Through an agreement with the property owner since 1996, the Seattle Parks Department has administered and maintained these recreational resources, used primarily by students at the nearby Morningside Academy, as well as recreational youth soccer leagues. The southeast corner of the site is developed with low concrete walls that retain landscaping, including some small trees. There is an existing curb and sidewalks around the full periphery of the site.

The site is served by a variety of public transit routes. Westlake Ave is also the proposed route for a South Lake Union [streetcar](#).

Public Comment

DPD received written comments from representatives of two neighborhood organizations: Morningside Academy, located to the north across John St., and Queen Anne Soccer Club. Both groups use the existing playfield for recreational activities. Queen Anne Soccer Club expressed appreciation that the developer had reached out to solicit input on appropriate field design. Morningside requested that half the playfield be available to their students during construction.

ANALYSIS - SEPA

DPD requires a State Environmental Policy Act (SEPA) analysis for a grading in excess of 500 cubic yards, according to Director's Rule [23-2000](#). The applicant provided the initial disclosure of this development's potential impacts in an environmental checklist signed and dated on January 29, 2004. This information and the experience of the lead agency in similar situations form the basis for this analysis and decision. This report anticipates short and long-term adverse impacts from the proposal.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to increased dust and other suspended air particulates during construction; potential soil erosion during excavation and general site work; increased runoff due to construction-related soil compaction; tracking of mud onto adjacent streets by construction vehicles; increased demand on traffic and parking from construction equipment and personnel; conflict with normal pedestrian and vehicular movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC Section [25.05.794](#)). Although not significant, these impacts are adverse.

The SEPA Overview Policy (SMC [25.05.665 D](#)) states, “where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation”, subject to limitations. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Code (grading, site excavation and soil erosion); Critical Areas Ordinance (grading, soil erosion and stability); Street Use Ordinance (watering streets to suppress dust, obstruction of the rights-of-way during construction, construction along the street right-of-way, and sidewalk repair); Building Code (construction standards); and Noise Ordinance (construction noise). Compliance with these codes and ordinances will be adequate to achieve sufficient mitigation of potential adverse impacts. Thus, mitigation pursuant to SEPA is not necessary for these impacts. However, more detailed discussion of some of these impacts is appropriate.

Other short-term impacts not noted here as mitigated by codes, ordinances or conditions (e.g., increased traffic during construction, increased use of energy and natural resources) are not sufficiently adverse to warrant further mitigation.

Parking

Short-term parking impacts involve additional parking demand generated by construction personnel and equipment. Streets in this neighborhood appear to have sufficient capacity to absorb additional short term parking demand generated by the project. Likely parking impacts are not sufficiently adverse to warrant further mitigation.

Construction Vehicles

Existing City code (SMC [11.62](#)) requires truck activities to use arterial streets to every extent possible. The subject site fronts 12th Ave NE, close to NE 45th and 50th Streets, and traffic impacts resulting from the truck traffic associated with grading will be of short duration and mitigated by enforcement of SMC [11.62](#). This immediate area is subject to traffic congestion during the PM peak hour, and large trucks turning onto NE 45th and 50th Streets would further exacerbate the flow of traffic. Pursuant to SMC [25.05.675 B](#) (Construction Impacts Policy) and SMC [25.05.675 R](#) (Traffic and Transportation) additional mitigation is warranted. For the duration of the grading activity, the applicant/responsible party shall cause grading truck trips to cease during the hours between 4 p.m. and 6 p.m. on weekdays. This condition will assure that truck trips do not interfere with daily PM peak traffic in the vicinity (Condition #0). As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of SMC [11.62](#).

City code (SMC [11.74](#)) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimizes the amount of spilled material and dust from the truck bed en route to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Long-term Impacts

Given that the proposed development represents a continuation of the existing use of the site, the proposal to relocate and level the soccer fields involves no identified long term impacts.

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW [43.21C](#)), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW [43.21C.030\(2\)\(C\)](#).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW [43.21C.030\(2\)\(C\)](#).

CONDITIONS – SEPA

During Construction

The following condition to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.

1. For the duration of grading activity, the owner(s) and/or responsible party(ies) shall cause grading truck trips to cease during the hours between 4 p.m. and 6 p.m. on weekdays.

Signature: (signature on file) Date: July 8, 2004
Scott A. Ringgold, Land Use Planner
Department of Planning and Development
Land Use Division